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FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

AUG 5 2008

8-5-2008

Judge Robert W. Gettleman
United States District Court

UNITED STATES OF AMERICA,

CLERK
U.S. DISTRICT COURT

Plaintiff,

v.

No.: 08 CV 2268

FUNDS IN THE AMOUNT OF
NINETEEN THOUSAND DOLLARS
(\$19,000.00)

Judge Gettleman

Magistrate Judge Mason

Jury Trial Demanded

Defendants.

MOTION TO VACATE ANY AND ALL DEFAULTS TECHNICAL AND OR
OTHERWISE AND FOR LEAVE TO FILE VERIFIED ANSWER INSTANTER.

NOW COMES the Defendant Martin Estrada, by and through her attorneys,
Baltazar Mendoza of the Law Office of Baltazar Mendoza, P.C. and in his Motion To
Vacate Any and All Defaults Technical and or Otherwise and For Leave to File Verified
Answer Instanter states, as follows:

1. On April 21, 2008 the Plaintiff filed its complaint for forfeiture.
2. On May 27, 2008 Petitioner Martin Estrada Filed his Verified Claim.
3. Subsequent to filing his Verified Claim the Petitioner was to file his
Verified complaint.
4. Petitioner prepared his Verified Answer to Complaint however counsel for
Petitioner erroneously believed that it had been filed

WHEREFORE, Defendant Martin Estrada prays that this Court:

- A) Grants his Motion To Vacate Any and All Defaults Technical
and or Otherwise and For Leave to File Verified Answer.

B) Grants any and all other relief this court deems just.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Baltazar Mendoza", is written over a horizontal line.

Baltazar Mendoza

Baltazar Mendoza
LAW OFFICE OF BALTAZAR MENDOZA, P.C.
3701 S. Halsted Street
Chicago, IL 60609
Atty. No. 41166

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Magistrate Judge Mason

MARTIN ESTRADA
Petitioner.

NOTICE OF FILING

TO: Marsha A. McClellan
Assistant United States Attorney
219 South Dearborn Street, Room 500
Chicago, IL 60604

PLEASE TAKE NOTICE that on the August 5, 2008 we filed with the Clerk of the United States District Court for the Northern District of Illinois, Eastern Division MOTION TO VACATE ANY AND ALL DEFAULTS TECHNICAL AND OR OTHERWISE AND FOR LEAVE TO FILE VERIFIED ANSWER INSTANTER a copy of which is hereby served on you.



Baltazar Mendoza.

Baltazar Mendoza
The Law Office of Baltazar Mendoza
3701 S. Halsted
Chicago, IL 60609

Proof of Service

I certify that copies of the within instruments were served on August 5, 2008 to the party to whom it is addressed via hand delivery to the address referenced above.



Baltazar Mendoza